

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Osmania University, Hyderabad – Request for regularization of services of Smt. J.Sarojana, work charged worker at Department of Plant Genetics, Osmania University in terms of G.O.Ms.No.212, Finance & Planning (FW PC.III), dt. 22.04.1994 – Rejected - Orders Issued.

HIGHER EDUCATION (UE.I) DEPARTMENT

G.O.Rt.No. 522

Dated: 24-07-2010
Read the following:-

1. From the Registrar, Osmania University Lr.No. MR 11/95/91/Estt.II, dt. 12.01.2010.
2. Govt., Lr. No. 00421/UE.I/A2/2010-1, dt.16.02.2010.
3. From the Registrar, Osmania University Lr.No. MR- 78/95/91/Estt.II, dt. 03.05.2010 along with copy of order of the Hon'ble High Court in W.A.No.1689 of 2002, dt.09-09-2009.
4. Legal Notice from Sri T.Lakshmi Kanth, Advocate, dt. 01.07.2010.

ORDER:

The Registrar, Osmania University, Hyderabad in his letter 1st read above has stated that the Hon'ble Division Bench of High court of Andhra Pradesh in its order dt. 09-09-2009 in W.A.No.1689 of 2002 has directed the Government to consider the proposal sent by the Osmania University vide Lr.No.MR-188/95/91/Estt.II, dt. 03-11-2006 and to pass appropriate orders within (4) weeks from the date of receipt of the order.

2. The Registrar, Osmania University, Hyderabad while enclosing the copy of the order of the Hon'ble High Court dt. 09-09-2009 in W.A.No.1689 of 2002 and copy of the Lr.No.MR-188/95/91/Estt.II,dt. 03-11-2006 has requested the Government to communicate the concurrence for the absorption of services of Smt. J. Sarojana, work charged worker at Department of Plant Genetics, Osmania University in the regular grade of Rs. 3850-8600 (RSP-2005).

3. The above proposal of the Registrar, Osmania University, Hyderabad has been examined and in Government Letter.No.00421/UE.1 / A2/ 2010-1, dt, 16-02-2010 he was requested to furnish the information as per Check-list prescribed for regularization of services in terms of G.O.Ms.No.212, Finance & Planning (FW PC.III), dt. 22.04.1994.

P.T.O

4. The Registrar, Osmania University, Hyderabad in his letter 3rd read above has furnished the information in the form of Check-List and stated that Smt. J.Sorajana has put in (5) years continuous service in the University as work charged worker as on 25.11.1993 and fulfils one of the condition as laid down in the G.O.Ms.No.212, Finance & Planning (FW PC.III), dt. 22.04.1994 and requested the Government to communicate concurrence as per the Hon'ble High Court Order dt. 09.09.2009 in Writ Appeal No.1689 of 2002 for absorption of the services of Smt. J.Sarojana, work charged worker, Osmania University in the clear vacancy of Kamatan in the regular grade scale of Rs.3850-8600 (RSP 2005) in terms of G.O.Ms.No.212, Finance & Planning (FW PC.III) Dept., dt. 22.04.1994.

5. The Government have examined the issue in the light of the orders passed by the Hon'ble High Court in W.A.No.1689 of 2002, dt. 09-09-2009 and observed that the individual i.e Smt. J.Sarojana after attaining the age of 18 years has put up just four years of service as on 25.11.1993 and not completed the required service of five years for regularization as per G.O.Ms.No.212, Finance (PC.III) Department, dated 22.04.1994. The Hon'ble Supreme Court of India in its order dt. 06-07-2009 in Civil Appeal No. 3702 and batch cases held that “ daily wage employees and others who are covered by Section 7 of the 1994 Act (amended) and whose services have not been regularised so far, shall be entitled to be considered for regularization and their services shall be regularised subject to fulfillment of the conditions enumerated in G.O.Ms.No.212, Finance & Planning (FW PC.III) Dept., dt. 22.04.1994.

6. The Government, after careful examination of the matter and keeping in view orders passed by the Hon'ble High Court in W.A.No.1689 of 2002, dt. 09-09-2009 filed by Smt.J.Sarojana, hereby reject the proposal submitted by the Registrar, Osmania University, Hyderabad in Lr.No.MR-188/95/91/Estt.II, dt. 03-11-2006 for absorption/regularization of services of Smt. J. Sarojana, work charged worker at Department of Plant Genetics, Osmania University in the regular grade of Rs. 3850-8600 (RSP-2005), as the individual i.e Smt. J.Sarojana after attaining the age of 18 years has put up just four years of service as on 25.11.1993 and not completed the required service of five years for regularization as per G.O.Ms.No.212, Finance (PC.III) Department, dated 22.04.1994.

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7. This order issues with the concurrence of Finance (PC.III) Department vide their U.O.No. 19299-A/398/A1/PC.III/10, dt. 17.07.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Registrar, Osmania University, Hyderabad.
Smt. J. Sarojana, through Registrar, Osmania University, Hyderabad.
The Government Pleader for Higher Education, High Court of Andhra Pradesh.
Copy to:
Sri T. Lakshmi Kanth, Advocate, H.No.1-8-702/93, Padma Colony,
Nalla Kunta, Hyderabad-500044.
The Finance (PC-III) Department.
The PS to M(HE)
The PS to Prl. Secretary (HE)
Sf/sc

//FORWARDED BY ORDER//

SECTIONOFFICER